

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ASHLEY N. MORGAN,

Plaintiff,

V.

LINDA MCMAHON, in her official capacity
as Secretary of Education; and U.S.
DEPARTMENT OF EDUCATION,

Defendants.

Case No. 1:25-cv-00416-ADA

JOINT STATUS REPORT

Pursuant to this Court’s Order on March 27, 2025, ECF No. 10, the parties respectfully submit the following joint status report regarding Plaintiff Ashley N. Morgan’s request for a preliminary injunction, *see* ECF No. 3.

1. Plaintiff Ashley N. Morgan is a student loan borrower who has been repaying her federal student loans pursuant to Income-Based Repayment (“IBR”) and Pay As You Earn (“PAYE”) plans.

2. Under the IBR and PAYE plans, Morgan must recertify her income annually. Morgan's most recent deadline to recertify her income with her student loan service provider was March 1, 2025.

3. Morgan alleges that Defendants caused her to be unable to access the necessary recertification forms in advance of her March 1, 2025, recertification deadline. Morgan was unable to recertify, and she learned that her monthly student loan payments increased from \$507.19 to \$2,463.58 per month beginning with her monthly payment due in April 2025. Morgan requested that her loans be placed on a three-month hardship forbearance from March through May 2025.

4. On March 19, 2025, Morgan filed her Complaint in this Court against Defendants Linda McMahon, Secretary of Education, and the Department of Education (the “Department”) (together, “Defendants”) in which she alleged Defendants violated the Administrative Procedure Act. *See* ECF No. 1.

5. Morgan also requested a Temporary Restraining Order and Preliminary Injunction seeking to enjoin Defendants from collecting on her student loan payments until her payments are determined under the IBR or PAYE plans, charging interest on her student loans until her payments are determined under the IBR or PAYE plans, capitalizing interest on loans subject to IBR plans, determining that she lost eligibility for income-driven repayment plans, and transferring her loans to a different agency or loan holder. *See* Mot. 4, ECF No. 3.

6. The Office of Federal Student Aid (“FSA”) is in the process of updating the recertification deadline and monthly payments for borrowers.

7. As of March 26, 2025, online income recertification forms are available and can be found at <https://studentaid.gov/idr/>. *See* Exh. 1, Bergeron Decl. ¶ 9. Morgan can now recertify her income for her IBR and PAYE plans.

8. Morgan’s recertification deadline has been extended until March 26, 2026. Morgan’s loans remain on the IBR and PAYE plans. *See* Exh. 1, Bergeron Decl. ¶ 13.

9. Morgan’s monthly student loan payment amounts are the same as the amount calculated prior to the March 1, 2025 recertification deadline. *See* Exh.1, Bergeron Decl. ¶ 16.

10. Morgan has not been rendered ineligible for income-driven repayment based on her failure to recertify her income by the March 1, 2025 deadline. *See* Exh. 1, Bergeron Decl. ¶ 14.

11. The Department has agreed to discharge the \$918.77 in interest that Morgan’s loans have accrued during her hardship forbearance between March 1, 2025 and March 26, 2025. *See*

Exh. 1, Bergeron Decl. ¶ 17. Should Morgan choose to keep her loans in hardship forbearance, however, her loans will continue to accrue interest.

12. Morgan agrees to withdraw her pending request for a preliminary injunction and pass the hearing setting on April 10, 2025. The parties agree that Morgan shall not be prejudiced from seeking a preliminary injunction in the future.

13. Defendants maintain that the basis for Morgan's request for preliminary relief is now moot, and this case does not necessitate a preliminary injunction.¹

¹ Defendants have not yet been properly served with a copy of the summons and the complaint. *See* ECF No. 9. In filing this Joint Status Report, Defendants do not waive any jurisdictional or procedural prerequisite to suit against it, and Defendants reserve the right to raise all available jurisdictional objections.

Dated: March 28, 2025

Respectfully submitted,

Margaret Leachman

Acting United States Attorney

By: /s/ Ashley N. Morgan*

Ashley N. Morgan

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Plaintiff

**Signed with permission*

By: /s/ David B. Goode

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